



REQUEST FOR FILING A PATENT APPLICATION UNDER 37 C.F.R. §1.53(b)
Attorney Docket: 056207.50756C1

13281 U.S. PTO
111703

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

17510 U.S. PTO
10/713270
11/17/03



Mail Stop PATENT APPLICATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a request for filing a continuation application under 37 C.F.R. 1.53(b), of pending prior application:

Serial No.: 10/009,638
Filed on: December 14, 2001
Of: Hiroshi HIRAYAMA *et al.*
Entitled: Air Flow Measuring Device Formed Integrally With Electronically Controlled Throttle Body
Examiner: Erick R. SOLIS
Art Unit: 3747
Class-Subclass: 123-399000

- 1. Accompanying this order is a copy of the prior application as originally filed. (Pages 1-39)
- 2. 15 Sheets of drawings, depicting Figures 1-24.
- 3. Declaration and Power of Attorney:
 - a. Newly executed (original or copy)
 - b. Copied from prior application
 - i. Deletion of Inventors - signed statement attached deleting inventor(s) named in the prior application
- 4. Incorporation by Reference:

The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 3b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
- 5. Cancel original claims

6. Small entity status:

- A small entity statement is enclosed
- A statement of small entity status (copy attached) was filed on __ in the prior application and status as a small entity is still proper and desired.
- Is no longer claimed

7. The filing fee is calculated below:

**CLAIMS AS FILED, INCLUDING ANY CLAIMS
CANCELLED OR ADDED BY PRELIMINARY AMENDMENT**

Basic Fee	\$385	\$770.00
Total Claims	<u>12</u> - <u>20</u> = <u>0</u> x <u>9</u> = \$	18 =
Ind. Claims	<u>3</u> - <u>3</u> = <u>0</u> x <u>43</u> = \$	86 =
	Multiple Dependent Claims + <u>145</u> = \$	290 = \$
	Total	\$770.00

8. Please charge my Deposit Account No. 05-1323 (Docket #___) in the amount of \$___.

9. A check in the amount of \$770.00 to cover the filing fee is enclosed.

10. The Commissioner is authorized to charge any fee which may be required under 37 CFR 1.16 or 37 CFR 1.17 or credit any overpayment to Deposit Account No. 05-1323 (Docket #056207.50756C1).

11. Amend the specification by inserting before the first line the sentence: --This application is a continuation of application Serial No. 10/009,638, filed December 14, 2001.--

12. Priority of Appln. No(s). __, filed in __ on __, is hereby claimed under 35 U.S.C. 119.

13. A certified copy of each said priority document was filed in application Serial No. __ on __.

14. The prior application is assigned of record to Hitachi, Ltd., and Hitachi Car Engineering Co., Ltd.

15. The power of attorney in the prior application is to:

Herbert I. Cantor, Reg. No. 24,392; James F. McKeown, Reg. No. 25,406; Donald D. Evenson, Reg. No. 26,160; Joseph D. Evans, Reg. No. 26,269; Gary R. Edwards, Reg. No. 31,824; and Jeffrey D. Sanok, Reg. No. 32,169.

- a. The power appears in the original application papers in the prior application.
- b. Since the power does not appear in the original application papers, a copy of the power in the prior application is enclosed.
- c. Attached is a duplicate of a Supplemental Declaration which was filed in the prior application to overcome informalities.
- d. Address all future correspondence to:

CROWELL & MORING, LLP
Intellectual Property Group
P.O. Box 14300
Washington, DC 20044-4300

Customer No. 23911

- 16. Forms PTO-892 and PTO-1449 listing prior art made of record in the prior application are attached. A copy of each of the listed references should be available in the prior application file.
- 17. A Preliminary Amendment is being filed herewith.
- 18. Return Receipt Postcard.
- 19. Other: Application Data Sheet; Information Disclosure Statement

Respectfully submitted,

November 17, 2003



Song Zhu, Ph.D., Registration No. 44,420
James F. McKeown, Registration No. 25,406

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